

Message Text

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PAGE 01 MADRID 03131 211636Z

61

ACTION ARA-20

INFO OCT-01 EUR-25 NEA-14 ISO-00 L-03 SCS-03 SCA-01 SY-04

FBIE-00 TRSE-00 JUSE-00 CIAE-00 DODE-00 INR-10 NSAE-00

PA-04 RSC-01 USIA-15 PRS-01 SP-03 PPT-02 AF-10 SCCT-02

DRC-01 /120 W

----- 107608

R 2115153Z MAY 74

FM AMEMBASSY MADRID

TO SECSTATE WASHDC 8940

INFO AMEMBASSY BRIDGETOWN

AMEMBASSY GEORGETOWN

AMEMBASSY KINGSTON

AMEMBASSY LIMA

AMEMBASSY MEXICO

AMEMBASSY OTTAWA

AMEMBASSY PORT OF SPAIN

AMEMBASSY RABAT

C O N F I D E N T I A L MADRID 3131

E.O. 11652: GDS

TAGS: CGEN, PINS, CU, SP

SUBJ: US HIJACKERS IN CUBA

REF: STATE 099757

1. GEVEN BELOW ARE ANSWERS TO SPECIFIC QUESTIONS RAISED IN TELEGRAM
UNDER REFERENCE AS PROVIDED BY SPANISH AUTHORITIES:

A. VISAS WOULD BE NECESSARY FOR SUBJECTS TO ENTER SPAIN.

B. WITHOUT SPECIAL ARRANGEMENTS REQUESTED BY U.S., USUAL TYPE
VISA ISSUED TO ALL CUBANS VALID FOR 90 DAYS STAY WOULD BE ISSUED.
GOS WOULD NOT REPEAT NOT TAKE CUSTODAY OF SUBJECTS AND THEN TURN
THEM

OVER TO US AUTHORITIES, INASMUCH AS THIS WOULD BE CONSIDERED AN
INFORMAL AND IRREGUALR FORM OF EXTRADITION, A PRACTICE UNACCEPTABLE
TO SPAIN. ONCE SUBJECTS REACHED SPAIN, THEY COULD IN PRINCIPLE, PRO-
CEED TO THIRD COUNTRY WITH LITTLE OR NO PROBLEM.

C. SUCH TRANSFER COULD NOT BE ACCOMPLISHED IN MANNER DESCRIBED.

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2. SPANISH AUTHORITIES SAID THAT THEY WOULD BE WILLING TO COOPERATE IN FOLLOWING FASHION: IF GOS COULD BE GIVEN NAMES OF US HIJACKERS WHO MIGHT TRAVEL WITH CUBAN DOCUMENTATION, GOS WOULD INSTRUCT SPANISH CONSUL IN HAVANA TO REFUSE THEM VISAS. NO VISAS CAN BE ISSUED TO BEARERS OF CUBAN PASSPORTS WITHOUT PRIOR AUTHORIZATION FROM MADRID.

IF IS FEASIBLE, THEREFORE, TO PREVENT ENTRY IN SPAIN OF US HIJACKERS WITH CUBAN DOCUMENTATION AS REQUESTED BY PARA FOUR OF REFTTEL.

3. ALTHOUGH THERE MAY BE SOUND REASONS FOR AVOIDING RECOURSE TO EXTRADITION PROCEDURE, EMBASSY BELIEVES THAT US AUTHORITIES SHOULD BE AWARE THAT 1970 US-SPANISH EXTRADITION TREATY SPECIFICALLY PROVIDES UNDER ARTICLE II.A.19 FOR EXTRADITION FOR "AIR PIRACY". PROVISIONAL ARREST COULD BE REQUESTED IN ADVANCE AND CARRIED OUT ON ARRIVAL. FROM STANDPOINT OF DESIRABILITY OF DEEPENING WORLDWIDE SENSE OF MUTUAL RESPONSIBILITY FOR PREVENTION AND CONTROL OF HIJACKING

RECOURSE TO AN OPEN PROCEDURE PROVIDED BY TREATY LAW HAS THE MERIT OF FORMALLY ENGAGING INTERESTED GOVERNMENTS IN INTERNATIONAL EFFORT TO COMBAT TERRORISM.

RIVERO

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NNN

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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